



COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Group Art Unit: 2152

Raymond King, Ron Wiener
and Len Albert Bayles

Application No. 10/016,497

Filed: November 1, 2001

For: **DOMAIN NAME ACQUISITION AND
MANAGEMENT SYSTEM AND METHOD**

Date: May 31, 2002

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PETITION TO MAKE SPECIAL FOR PENDING APPLICATION
UNDER 37 CFR § 1.102, MPEP § 708.02 VIII

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1. Petition

Applicant hereby petitions to make special the above-referenced pending **Technology Center 2100** application, which has not received any examination.

2. Search

A careful and thorough search of the prior art has been made by:

- (a) the inventor(s)
- (b) attorney
- (c) ☒ professional searcher

in the following:

(complete all applicable items below)

- (h) ☒ Key-word search in U.S. Patent Gazette databases.
- (i) ☒ publications: relating to software, business, and engineering
- (j) ☒ foreign patents: PCT, abstracts of Japan, European applications and

granted patents

- (k) search by corresponding foreign patent office or at the former

International Patent Institute at The Hague, Netherlands.

3. Copy of references

A copy of each of the references deemed most closely related to the subject matter encompassed by the claims is submitted herewith.

Also attached is an Information Disclosure Statement and accompanying Form PTO-1449 listing the references mentioned above.

4. Detailed Discussion of references

Also attached is a detailed discussion of the references mentioned above which points out, with the particularity required by 37 C.F.R. 1.111 (b) and (c), how the claimed subject matter is patentable over the references.

5. Claims

Check and complete all applicable items (a) through (c).

(a) All the claims in this case are directed to a single invention.

(b) ☒ If the Office determines that all the claims presented are not obviously directed to a single invention, applicant will make an election without traverse as a prerequisite to the grant of special status.

(c) ☒ If claim(s) 34 to 43 and 64 to 68 are found not to be examinable in this case with claim(s) 1 to 33 and 44 to 63, applicant hereby elects claim(s) 1 to 33 and 44 to 63 for the prosecution of this case.

6. Fee

The \$130.00 fee required by 37 CFR 1.17(I) is to be paid by

☒ The attached check.

Charge to Deposit Account 19-4455.

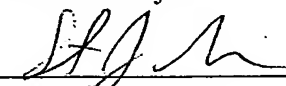
☒ The Commissioner is hereby authorized to charge Deposit Account No. 19-4455 for any deficiency.

A duplicate of this petition is attached.

Respectfully submitted,

**Raymond King, Ron Wiener
and Len Albert Bayles**

By:



Steven J. Munson
Registration No. 47,812

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Attorney Docket No.: 10720/2:4



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

**Raymond King, Ron Wiener
and Len Albert Bayles**

Application No. 10/016,497

Filed: November 1, 2001

For: **DOMAIN NAME ACQUISITION AND
MANAGEMENT SYSTEM AND METHOD**

Date: May 29, 2002

Group Art Unit: 2152

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Technology Center 2100

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ATTACHMENT TO PETITION TO MAKE SPECIAL
DISCUSSING SEARCH REFERENCES

1. Prior art references from the professional search described in the accompanying petition.

- a) U.S. Patent No. 6,338,082, of Sneider, issued Jan. 8, 2002 ("Sneider").
- b) U.S. Patent No. 6,298,341 of Mann et al, issued Oct.2, 2001 ("Mann 1").
- c) Published U.S. Patent Application No. 20020010795, of Brown, published January 24, 2002 ("Brown 1").
- d) International Publication No. WO 01/22286 A1, of Mann et al., published March 29, 2001 ("Mann 2").
- e) International Publication No. WO 01/17192 A2, of Shuster et al., published March 8, 2001 ("Shuster").
- f). International Publication No. WO 01/97486 A2, of Brown, published December 20, 2001 ("Brown 2").

2. Detailed discussion of the above-listed prior art.

a) Sneider is directed to a system in which a network resource request consisting of a domain name is received. "Rather than displaying an error message or processing a search request in response to determining that a network resource can not be located or of

an unresolvable domain name, the domain name can instead be redirected to a registration service where the unresolvable domain name is automatically used to perform a registration request and determine domain name availability. When the domain name is not available for registration, domain name registrant information is provided. However, when the domain name is determined available, a registration form is provided.” *See Abstract.*

b) Mann 1 is directed to a system for generating and facilitating the transfer of available domain names. The system includes a data storage facility for storing an adjunct terms for use in generating at least one registerable domain name. A user, accessing the system via an electronic data network provides the system with a root term. The system concatenates the root term provided by the user with the stored adjunct term to generate a candidate domain name. The system then submits a query to a data source to determine if the candidate domain name is available for registration. *See Abstract.*

c) Brown 1 is directed to a system for protecting domain names by providing permanent registration of domain names. A permanent registration certificate provides a permanent registration of a domain name including perpetually “determining, paying and verifying current and future renewal fees for the domain name at a public domain registrar.” *See Abstract.*

d) Mann 2 is directed to the same subject matter as Mann1. *See Abstract.*

e) Shuster is directed to a domain management system for hosting and assigning domain names. “The name assignment system verifies availability and assigns domain names to requesting clients. The name assignment system comprises an input component, a confirmation mechanism and a name storage means. Preferred embodiments of the domain retrieval system comprise a scheduler, a parsing member having a plurality of redirectors and a plurality of servers. The domain retrieval system locates the domain referenced by the domain name by parsing header information and utilizing a wildcard DNS. Once the domain is located, the domain retrieval system forwards the domain to the user computer.” *See Abstract.*

f) Brown 2 is directed to the same subject matter as Brown 1. *See Abstract.*

3. Patentable differences between prior art references and the independent claims of the present application.

Claims 1- 68 are in the application, of which claims 1, 13, 15, 33, 34, 43, 44, 46, 54, 57, 62 and 64 are in independent form.

None of the above references taught or suggested any of the elements of claim 1.

None of the above references taught or suggested the following elements of claim 13: “determining an expiration date for the registration; periodically checking the registration at a predefined frequency proximate to the expiration date; and responsive to the registration expiring, renewing the registration for the registrant.”

None of the above references taught or suggested the following elements of claim 15: “monitoring a request between a registrar and the registry to detect an event affecting the domain name registration; identifying the event as belonging to a specific type; and based on the specific type of event, taking a predefined action.”

None of the above references taught or suggested the following elements of claim 33: “a step for identifying an interested party desiring a succeeding registration for the domain name; a step for monitoring a status of the first registration; and a step for effecting the succeeding registration when the status of the first registration indicates that the domain name is registrable.”

None of the above references taught or suggested any of the elements of claim 34.

None of the above references taught or suggested any of the elements of claim 42.

None of the above references taught or suggested the following elements of claim 44: “repeatedly checking the status of the identification resource; and responsive to the status of the identification resource indicating that the identification resource is registrable, registering the identification resource for the interested entity.”

None of the above references taught or suggested the following element of claim 46: “a processing and distribution engine to receive the indication of the domain name from the front end, determine the expiration date by querying the public registrar database and the public registry database, and instruct the acquisition array to communicate with the registry proximate to the expiration date to register the domain name for the interested entity; and an acquisition array integrated with the registrar so as to communicate with the registry via the secure communication channel.”

None of the above references taught or suggested the following elements of claim 54: "(c) a third-party agent representing an interested entity, the third-party agent coupled to the registrar and registry for ongoing monitoring of the registration information maintained by the registrar and the registry; and including means for: taking a predetermined action as soon as practicable after a predetermined event reflected by a change in the monitored registration information."

None of the above references taught or suggested the following elements of claim 57: "(c) a third-party agent representing an interested entity, the third-party agent monitoring a communication between the registrar and the registry to make a change to the registration information; and including means for taking a predetermined action as soon as practicable after a predetermined event reflected by the change to the registration information."

None of the references taught or suggested the following element of claim 62: "(b) an acquisition engine coupled to the input means and integrated with a domain name registrar having access to a domain name registry so as to enable the acquisition engine to determine a status of the indicated domain name."

None of the references taught or suggested any of the elements of claim 64.

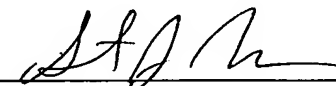
4. Conclusion

As shown and described above, the subject matter in independent claims 1, 13, 15, 33, 34, 43, 44, 46, 54, 57, 62, and 64 of the present application are patentable over the prior art references listed above.

Respectfully submitted,

**Raymond King, Ron Wiener
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